

AMENDED IN ASSEMBLY JANUARY 4, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 727

Introduced by Assembly Member Bermudez

February 17, 2005

An act to ~~amend Section 40051 of~~ add Section 40507.3 to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 727, as amended, Bermudez. Solid waste: ~~integrated waste management~~ biomass conversion technology.

Existing law, the California Integrated Waste Management Act of 1989, imposes various duties on the California Integrated Waste Management Board, relating to solid waste, including reporting to the Legislature annually regarding significant programs or actions undertaken by the board to implement programs pursuant to the act. Existing law defines the term "biomass conversion" for purposes of the act as meaning the controlled combustion of specified materials for purposes of producing electricity or heat.

This bill would require the board, in conjunction with the State Air Resources Board, to identify 6 solid waste facilities throughout the state, as specified, that have an interest in testing biomass conversion technologies, and would require both boards to assist the facility in obtaining a solid waste facilities permit, or a revision to a solid waste facilities permit, necessary to enable the facilities to test biomass conversion technologies. The bill would require the California Integrated Waste Management Board to prepare a work plan for those facilities and technologies, as specified, and would require the testing to include the acquisition of specified data. The bill would require

both boards to annually report to the Legislature on the findings of the testing.

~~(1) The California Integrated Waste Management Act of 1989 requires the Integrated Waste Management Board and local agencies to promote waste management practices in a specified order of priority.~~

~~This bill would include in that list of practices the recovery of waste through conversion technology, or other beneficial use technologies, and reorder the list of priorities, thereby creating a stated mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~ no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 40507.3 is added to the Public
2 Resources Code, to read:

3 40507.3. (a) (1) The board, in conjunction with the State Air
4 Resources Board, shall identify six solid waste facilities
5 throughout the state that have an interest in testing biomass
6 conversion technologies. The facilities selected shall be evenly
7 divided between northern and southern California, and between
8 urban, suburban, and rural locations.

9 (2) The board, in conjunction with the State Air Resources
10 Board, shall assist a facility selected pursuant to subdivision (a)
11 to obtain a solid waste facilities permit, or a revision to a solid
12 waste facilities permit, necessary to enable the facility to test
13 biomass conversion technologies.

14 (b) The board shall prepare a work plan that identifies the
15 types of biomass conversion technologies that will be tested by
16 the six solid waste facilities selected pursuant to subdivision (a)
17 that shall include both of the following:

1 *(1) Identify a method to obtain and verify any necessary*
2 *test-related information from the biomass conversion technology*
3 *vendors.*

4 *(2) Include the process by which the board and the State Air*
5 *Resources Board will ensure that all sampling and analyses are*
6 *conducted in an independent manner that is not influenced by the*
7 *operator of the participating solid waste facility or other similar*
8 *entity with financial interest in the testing outcome.*

9 *(c) The testing of biomass conversion technologies pursuant to*
10 *this section shall include, but not be limited to, acquisition of all*
11 *of the following emissions data:*

12 *(1) Total and speciated hydrocarbons.*

13 *(2) Dioxins and furans.*

14 *(3) Full metals.*

15 *(4) Oxides of nitrogen and sulfur.*

16 *(5) Carbon monoxide.*

17 *(6) Particulate matter.*

18 *(7) Volatile organic compounds.*

19 *(d) The board and the State Air Resources Board shall*
20 *annually report to the Legislature on the results of the biomass*
21 *conversion technologies tested pursuant to this section, which*
22 *shall include all of the following information:*

23 *(1) The location of the six participating or interested solid*
24 *waste facilities.*

25 *(2) For each facility identified pursuant to paragraph (1), the*
26 *status of its permit or permit application.*

27 *(3) A work plan that identifies the types of biomass conversion*
28 *technologies that will be or are being tested.*

29 *(4) The results and analyses of the emissions data acquired*
30 *pursuant to the biomass conversion technologies testing, and the*
31 *public health aspects of biomass conversion technologies.*

32 *(5) Recommendations to the Legislature regarding policy*
33 *decisions affecting biomass conversion technologies.*

34 ~~SECTION 1. Section 40051 of the Public Resources Code is~~
35 ~~amended to read:~~

36 ~~40051. In implementing this division, the board and local~~
37 ~~agencies shall do both of the following:~~

38 ~~(a) Promote the following waste management practices in~~
39 ~~order of priority:~~

40 ~~(1) Source reduction.~~

1 ~~(2) Recycling and composting.~~

2 ~~(3) Recovery through conversion technology, or other~~
3 ~~beneficial use technologies.~~

4 ~~(4) Environmentally safe transformation and environmentally~~
5 ~~safe land disposal, at the discretion of the city or county.~~

6 ~~(b) Maximize the use of all feasible source reduction,~~
7 ~~recycling, and composting options in order to reduce the amount~~
8 ~~of solid waste that must be disposed of by transformation and~~
9 ~~land disposal. For wastes that cannot feasibly be reduced at their~~
10 ~~source, recycled, or composted, the local agency may use~~
11 ~~environmentally safe transformation or environmentally safe land~~
12 ~~disposal, or both of those practices.~~

13 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
14 ~~Section 6 of Article XIII B of the California Constitution because~~
15 ~~a local agency or school district has the authority to levy service~~
16 ~~charges, fees, or assessments sufficient to pay for the program or~~
17 ~~level of service mandated by this act, within the meaning of~~
18 ~~Section 17556 of the Government Code.~~